

# SENATE BILL 210

Q3

2lr1816  
CF 2lr0360

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By: **Senators Stone, Colburn, Dyson, Gladden, Klausmeier, and Pipkin**

Introduced and read first time: January 20, 2012

Assigned to: Budget and Taxation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Income Tax – Subtraction Modification – Qualified Maryland Toll Expenses**

3 FOR the purpose of allowing a subtraction modification under the Maryland income  
4 tax for certain amounts paid in a certain manner by individuals for certain toll  
5 expenses; defining certain terms; providing for the application of this Act; and  
6 generally relating to a Maryland income tax subtraction modification for certain  
7 amounts paid in a certain manner for certain tolls.

8 BY repealing and reenacting, without amendments,  
9 Article – Tax – General  
10 Section 10–208(a)  
11 Annotated Code of Maryland  
12 (2010 Replacement Volume and 2011 Supplement)

13 BY adding to  
14 Article – Tax – General  
15 Section 10–208(r)  
16 Annotated Code of Maryland  
17 (2010 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Tax – General**

21 10–208.

22 (a) In addition to the modification under § 10–207 of this subtitle, the  
23 amounts under this section are subtracted from the federal adjusted gross income of a  
24 resident to determine Maryland adjusted gross income.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(R) (1) (I)** IN THIS SUBSECTION THE FOLLOWING WORDS HAVE  
2 THE MEANINGS INDICATED.

3                           **(II)** “NONREFUNDABLE TRANSPONDER DEPOSIT” MEANS  
4 ANY AMOUNT PAID FOR AN E-ZPASS MARYLAND TRANSPONDER THAT IS NOT  
5 MADE AVAILABLE AS A PREPAID TOLL BALANCE.

6                           **(III)** “QUALIFIED TOLL EXPENSES” MEANS ANY PAYMENT  
7 MADE DURING THE TAXABLE YEAR FOR AMOUNTS EXPENDED BY AN INDIVIDUAL  
8 FOR TOLLS PAID ELECTRONICALLY THROUGH THE USE OF THE E-ZPASS  
9 MARYLAND PROGRAM AS AUTHORIZED BY THE MARYLAND TRANSPORTATION  
10 AUTHORITY FOR NONCOMMERCIAL TRAVEL ON TOLL ROADS, BRIDGES, AND  
11 TUNNELS IN THE STATE.

12                   **(2)** SUBJECT TO PARAGRAPHS **(3)**, **(4)**, AND **(5)** OF THIS  
13 SUBSECTION, THE SUBTRACTION UNDER SUBSECTION **(A)** OF THIS SECTION  
14 INCLUDES THE QUALIFIED TOLL EXPENSES INCURRED BY AN INDIVIDUAL  
15 DURING THE TAXABLE YEAR.

16                   **(3)** THE SUBTRACTION UNDER THIS SUBSECTION DOES NOT  
17 APPLY UNLESS THE AMOUNT OF QUALIFIED TOLL EXPENSES INCURRED BY THE  
18 INDIVIDUAL DURING THE TAXABLE YEAR EQUALS OR EXCEEDS \$25.

19                   **(4) (I)** SUBJECT TO SUBPARAGRAPH **(II)** OF THIS PARAGRAPH,  
20 THE TOTAL AMOUNT OF QUALIFIED TOLL EXPENSES SUBTRACTED FOR A  
21 TAXABLE YEAR MAY NOT EXCEED:

22   1.     **\$1,000** FOR SPOUSES FILING A JOINT RETURN;  
23 AND

24   2.     **\$500** FOR ALL OTHER INDIVIDUALS.

25                           **(II)** THE AMOUNT DISALLOWED AS A SUBTRACTION UNDER  
26 THIS SUBSECTION FOR ANY TAXABLE YEAR AS A RESULT OF THE LIMITATION  
27 UNDER THIS PARAGRAPH MAY BE CARRIED OVER UNTIL USED TO THE NEXT 3  
28 SUCCEEDING TAXABLE YEARS AS A SUBTRACTION.

29                   **(5)** THE SUBTRACTION ALLOWED UNDER THIS SUBSECTION MAY  
30 NOT INCLUDE:

31                           **(I)** ANY AMOUNT FOR WHICH THE TAXPAYER IS ELIGIBLE  
32 FOR A DEDUCTION UNDER THE INTERNAL REVENUE CODE;

1                           **(II) ANY AMOUNT PAID AS A NONREFUNDABLE**  
2 **TRANSPONDER DEPOSIT; OR**

3                           **(III) ANY AMOUNT REIMBURSED BY AN EMPLOYER.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 2012, and shall be applicable to all taxable years beginning after December 31,  
6 2011.